



U.S. Department of Justice

 United States Attorney
 Southern District of New York

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 The Jacob K. Javits Federal Building
 26 Federal Plaza, 37th Floor
 New York, New York 10278

December 6, 2024

BY ECF
 The Honorable Mary Kay Vyskocil
 United States District Judge
 Southern District of New York
 Daniel Patrick Moynihan United States Courthouse
 500 Pearl Street
 New York, NY 10007

Re: *United States v. Brandon Evans, 23 Cr. 301 (MKV)*
United States v. Kenneth Fortune, S1 23 Cr. 301 (MKV)

Dear Judge Vyskocil:

The parties write respectfully to seek an adjournment of the currently scheduled December 12, 2024 status conference in the above-referenced matters until late January 2025, as defense counsel for defendant Kenneth Fortune is currently on trial in another matter and defense counsel for defendant Brandon Evans requests the additional time to continue reviewing discovery in response to specific questions raised by his client.

In addition, the Government requests that time between December 12, 2024, and the date of the rescheduled status conference be excluded pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The ends of justice served by granting the proposed exclusion outweigh the best interests of the public and the defendants in a speedy trial, as the proposed exclusion will allow the defendants additional time to review discovery and allow the parties to discuss a potential pretrial resolution. Defense counsel for Brandon Evans and for Kenneth Fortune both consent to this request.

Granted. The conference scheduled for December 12, 2024 at 10:30 AM is AJOURNED to January 22, 2025 at 11:30 AM. On the application of both parties, it is HEREBY ORDERED that, in the interest of justice, all time from today to January 22, 2025 is excluded under the Speedy Trial Act. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the Defendant in a speedy trial in that it will allow time for the parties to continue reviewing discovery and discuss a potential pretrial resolution. The Defendant consents to the exclusion of time.

 Date: 12/6/2024
 New York, New York

 Mary Kay Vyskocil
 United States District Judge

Sincerely,

 DAMIAN WILLIAMS
 United States Attorney

By:

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 Southern District of New York
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